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10/707,644	12/29/2003	Guy Pardon	FREI.P-048DV	1643

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EXAMINER
LOVEL, KIMBERLY M

ART UNIT	PAPER NUMBER
2167	

NOTIFICATION DATE	DELIVERY MODE
12/13/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/707,644	PARDON ET AL.
	Examiner	Art Unit	
	Kimberly Lovel	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *24 September 2007*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *6-18,20 and 23-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *6-18,20 and 23-37* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the Amendment filed 24 September 2007.

2. Claims 6-18, 20 and 23-37 are pending in this application. Claims 6, 8, 10, 11, 12, 15, 18 and 23 are independent. In the Amendment filed 24 September 2007, claims 7, 8, 12, 18, 23-29, 32 and 37 were amended. This action is made Non-Final.

3. The rejections of claims 6-18, 20 and 23-37 have been maintained.

Claim Objections

4. The objections to claims 18, 23, 32 and 37 have been withdrawn as necessitated by Applicants' amendments.

5. Claims 9, 13 and 14 objected to because of the following informalities:

Claim 9 recites a system, however the claim is dependent on claim 8 which is directed towards a method.

Claims 13 and 14, which are dependent on 12 recite a globalCommit while claim 12 has been amended to recite a two-phase commit.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The rejections of claims 7, 8, 18, 24, 25 and 28 under 35 U.S.C. 112, second paragraph are withdrawn as necessitated by applicants' amendments.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

8.   Claims 6, 7, 12-14, 18, 19 and 23-37 rejected under 35 U.S.C. 101 because the

claimed invention is directed to non-statutory subject matter.

Claims 6, 12, 18 and 23 is directed towards a system. However, the system can be

interpreted as comprising entirely of software per se according to one of ordinary skill in the art.

The claim language fails to provide the necessary hardware required for the claim to fall within

the statutory category of a system. Claims 6, 12 and 18 recite a processor. However, the

specifications fails to define a processor. Therefore, it is unknown whether the processor is

embodied as hardware.

According to MPEP 2106:

The claims lack the necessary physical articles or objects to constitute a machine or a
manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or
acts to be a process nor are they a combination of chemical compounds to be a
composition of matter. As such, they fail to fall within a statutory category. They are, at
best, functional descriptive material per se.

Descriptive material can be characterized as either "functional descriptive material" or
"nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory
when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759.
When functional descriptive material is recorded on some computer-readable medium, it
becomes structurally and functionally interrelated to the medium and will be statutory in
most cases since use of technology permits the function of the descriptive material to be
realized. Compare In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed.
Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a
computer-readable medium, in a computer, or on an electromagnetic carrier signal, does
not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the
claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he

sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

Since claims 7, 12-14, 19 and 24-37 are dependent on claims 6, 12, 18 and 23, the claims are rejected on the same grounds as claim 6, 12, 18 and 23.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10.   Claims 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No 6,076,078 to Camp et al (hereafter Camp).

Referring to claim 12, Camp discloses a distributed system using a two-phase commit protocol, said system characterized as a composite system comprising at least one processor (see abstract), the system comprising

a plurality of processes; each process having an interface and implementing at least one respective service defined by that interface (see Fig 2);

each or any two-phase commit message exchange between processes also carrying information about the actual work being committed [token] (see column 6, lines 25-40; Fig 3; column 8, lines 60-67 and column 11, lines 45-56).

Referring to claim 13, Camp discloses the system of claim 12, such information

being logged for recoverability in the event of a crash, such information being used for

assistance at any time before, during or after global commitment (see column 9, lines

52-57).

Referring to claim 14, Camp discloses the system of claim 12 or 13, wherein any

globalCommit requires a registration [archive], and wherein the registration for a

globalCommit also carries information about the actual work being committed [token]

(see column 7, lines 7-16).

Referring to claim 15, Camp discloses a method for use in a distributed system,

said system characterized as a composite system, the system comprising a plurality of

processes; each process having an interface and implementing at least one respective

service defined by that interface (see Fig 2), the method comprising the step of: for each

or any globalCommit message exchange between processes also carrying information

about the actual work being committed [token] (see column 6, lines 25-40 and column

11, lines 45-56).

Referring to claim 16, Camp discloses the method of claim 15 further cg the step

of logging for recoverability in the event of a crash, such information being used for

assistance at any time before, during or after global commitment (see column 9, lines

52-57).

Referring to claim 17, Camp discloses the method of claim 15 or 16 further

comprising the step of propagating a registration [archive] for a global commit, and

wherein the registration for a globalCommit also carries information about the actual work being committed [token] (see column 7, lines 7-16).

11.   Claims 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No 6,457,065 to Rich et al (hereafter Rich).

Referring to claim 18, Rich discloses a distributed system, said system characterized as a composite system (see abstract), the system comprising

a plurality of processes; each process having an interface and implementing at least one respective transactional service defined by that interface (see column 10, lines 1-41);

wherein a root transactional invocation or, alternatively, a root's human user is allowed to dynamically set its or his concurrency preferences for an entire transactional invocation; wherein the root invocation propagates the concurrency preferences with each or any child invocation it makes in order to provide improved customization; wherein the propagated concurrency preferences at any level in the root invocation's invocation hierarchy specify the extent to which shared resource access is desired or allowed or denied among descendant transactional invocations of the root invocation or user and other, concurrent transactional invocations who are also descendants of the same root (see column 7, line 66 – column 8, line 18).

Referring to claim 20, Rich discloses the system of claim 19 wherein each invocation propagates the concurrency preferences as it has received them from the root invocation (see column 7, line 66 – column 8, line 18).

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

13.   **Claims 6-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No 6,457,065 to Rich et al (hereafter Rich) in view of US Patent No 6,272,515 to

Fouquet (hereafter Fouquet).

Referring to claim 6, Rich discloses a data management system, said system

characterized as a composite system comprising at least one processor (see abstract),

the system comprising

a plurality of processes; each process having an interface and implementing at

least one respective service defined by that interface (see column 10, lines 1-41);

a first invocation of the at least one respective service by a transaction resulting

in the creation of a first transaction [Child Tx 411] local to the process [Node_1 401]

thereof, the first local transaction being a child of the invoking transaction [Top-level Tx

410] and being parent of any transaction triggered by invocation of a service of another

process [Child Tx 413] (see column 9, lines 41-67 and Fig 4A);

a second invocation of the at least one respective service by a transaction

resulting in the creation of a second transaction [child Tx 412] local to the process

[Node_1 401] thereof, the second local transaction being a child of the invoking

transaction [Top-level Tx 410] and being parent of any transaction triggered by invocation of a service of another process [Child Tx 415] (see column 9, lines 41-67);

each process further characterized in that each transaction local thereto is independently handled at the process (see column 10, lines 31-41 and column 13, lines 8-14);

each process making scheduling and recovery decisions independent of any centralized component (see column 10, lines 31-41 and column 13, lines 8-14).

However, Rich fails to explicitly disclose the further limitation of each process characterized in that if the first transaction and the second transaction conflict but are both children of a same invoking transaction, then the first transaction and the second transaction are not executed concurrently. Fouquet discloses scheduling distributed transactions (see abstract), including the further limitation of each process characterized in that if the first transaction and the second transaction conflict but are both children of a same invoking transaction, then the first transaction and the second transaction are not executed concurrently (see column 2, line 62 – column 3, line 7).

It would have been obvious to utilize the step of determining whether or not to process sibling transactions as disclosed by Fouquet with the distributed transactions of Rich. One would have been motivated to do so in order to allow for conflicts of execution between operations of different transactions (Fouquet: see column 1, lines 42-49).

Referring to claim 7, the combination of Rich and Fouquet (hereafter Rich/Fouquet) discloses the system of claim 6 wherein a root transaction is able to

dynamically set concurrency preferences for a resulting distributed transaction, based

on client needs, wherein the concurrency preferences specify the extent to which

shared resource access is desired or allowed or denied among descendant transaction

invocations of the root invocation or user and other, concurrent transaction invocations

who are also descendants of the same root (Rich: see column 7, line 66 – column 8,

line 18).

Referring to claim 8, Rich discloses a method for use with a data management

system, said system characterized as a composite system comprising at least one

processor (see abstract), the system comprising

a plurality of processes; each process having an interface and implementing at

least one respective transactional service defined by that interface (see column 10, lines

1-41);

invocation of the at least one respective transactional service by a thread [query]

of the invoking transaction and being parent of any transaction triggered by invocation

of a transactional service of another process (see column 9, lines 41-67; column 17,

lines 47-57; and Fig 4A);

each process further characterized in that each transaction local thereto is

independently handled at the process (see column 10, lines 31-41 and column 13, lines

8-14);

each process making scheduling and recovery decisions independent of any

centralized component triggered by invocation of a transactional service of another

process, each process further characterized in that each transaction local thereto is

independently handled at the process, each process making scheduling and recovery

decisions independent of any centralized component (see column 10, lines 31-41 and

column 13, lines 8-14).

However, Rich fails to disclose the further limitation of the method. Fouquet

discloses scheduling distributed transactions (see abstract), including the further

limitation of the method comprising the steps of:

propagating from a first process to a second process a message indicative of a

globalCommit operation with respect to a root transaction, said message also indicative

of a number [counter] or identifying list of transactional invocations which the first

process has made to the second process on behalf of the root transaction (see column

3, lines 31-36);

within the second process, comparing the number or list indicated in the

message with a count or list within the second process of the number or list of

transactional invocations which have been made on behalf of the root transaction (see

column 3, lines 45-52);

in the event the comparison yields a non-match, aborting the transaction (see

column 3, lines 45-52).

It would have been obvious to utilize the step of determining whether to abort the

transaction as disclosed by Fouquet with the distributed transactions of Rich. One

would have been motivated to do so in order to allow for conflicts of execution between

operations of different transactions (Fouquet: see column 1, lines 42-49).

Referring to claim 9, Rich/Fouquet discloses the system of claim 8, wherein each process is built using Java (see column 7, lines 25-29).

Referring to claim 10, Rich discloses a method for use with a data management system, said system characterized as a composite system (see abstract), the system comprising a plurality of processes, each process having an interface and implementing at least one respective service defined by that interface (see column 10, lines 1-41), invocation of the at least one respective service by a transaction resulting in the creation of a transaction local to the process thereof, the local transaction being a child of the invoking transaction and being parent of any transaction triggered by invocation of a service of another process (see column 9, lines 41-67; column 17, lines 47-57; and Fig 4A), each process further characterized in that each transaction local thereto is independently handled at the process, each process making scheduling and recovery decisions independent of any centralized component (see column 10, lines 31-41 and column 13, lines 8-14).

However, Rich fails to disclose the further limitation of the method. Fouquet discloses scheduling distributed transactions (see abstract), including the further limitation of the method comprising the steps of:

propagating from a first process to a second process a message indicative of a globalCommit operation with respect to a root transaction, said message also indicative of a number [counter] or identifying list of invocations which the first process has made to the second process on behalf of the root transaction (see column 3, lines 31-36);

within the second process, comparing the number or list indicated in the

message with a count or list within the second process of the number or list of

invocations which have been made on behalf of the root transaction (see column 3,

lines 45-52);

in the event the comparison yields a match, proceeding with the globalCommit

(see column 3, lines 45-52).

It would have been obvious to utilize the step of determining whether to abort the

transaction as disclosed by Fouquet with the distributed transactions of Rich. One

would have been motivated to do so in order to allow for conflicts of execution between

operations of different transactions (Fouquet: see column 1, lines 42-49).

Referring to claim 11, Rich discloses a method for use with a data management

system, said system characterized as a composite system (see abstract), the system

comprising a plurality of processes, each process having an interface and implementing

at least one respective service defined by that interface (see column 10, lines 1-41),

invocation of the at least one respective service by a transaction resulting in the creation

of a transaction local to the process thereof, the local transaction being a child of the

invoking transaction and being parent of any transaction triggered by invocation of a

service of another process (see column 9, lines 41-67; column 17, lines 47-57; and Fig

4A), each process further characterized in that each transaction local thereto is

independently handled at the process, each process making scheduling and recovery

decisions independent of any centralized component (see column 10, lines 31-41 and

column 13, lines 8-14).

However, Rich fails to disclose the further limitation of the method. Fouquet discloses scheduling distributed transactions (see abstract), including the further limitation of the method comprising the steps of:

propagating from a first process to a second process a message indicative of a globalCommit operation with respect to a root transaction, said message also indicative of a number [counter] or identifying list of invocations which the first process has made to the second process on behalf of the root transaction (see column 3, lines 31-36);

within the second process, comparing the number or list indicated in the message with a count or list within the second process of the number or list of invocations which have been made on behalf of the root transaction (see column 3, lines 45-52);

in the event the comparison yields a non-match, aborting the transaction (see column 3, lines 45-52).

It would have been obvious to utilize the step of determining whether to abort the transaction as disclosed by Fouquet with the distributed transactions of Rich. One would have been motivated to do so in order to allow for conflicts of execution between operations of different transactions (Fouquet: see column 1, lines 42-49).

14.   **Claims 23-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over US No 6,457,065 to Rich et al in view of US Patent No 6,233,585 to Gupta et al (hereafter Gupta).**

Referring to claim 23, Rich et al disclose a data management system, referred to as transactional service, comprising:

one or more operations that can be invoked by remote clients; Some or all such remote clients having one or more associated transaction contexts (see column 10, lines 1-41).

However, Rich fails to explicitly disclose the further limitations. Gupta et al discloses a transaction system (see abstract), including the further limitations of an invocation of the service by a remote client also containing partial or complete information indicating or containing said client's transaction context or contexts (see column 8, lines 10-51); an invocation of the service, by a remote client, of an operation leading to a new transaction different from, but possibly related to, any existing client transaction (see column 5, lines 16-19); such an operation-level transaction being committed before the client transaction context is terminated before globalCommit notification (see column 12, lines 28-57); the transactional service locally maintaining an undo operation for such a committed operation (see column 6, lines 12-20); and a failing or failed remote client transaction context leading to the execution of the locally maintained of the undo operations of the corresponding committed invocations in the transactional service (see column 7, lines 42-46) in order to provide recoverability.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the feature of undo operations as disclosed by Gupta et al with the management system of Rich. One would have been motivated to do so in order to provide recoverability.

Referring to claim 24, Rich/Gupta discloses the system of claim 23 where some or all undo operations are executed in an order that is the reverse of an order of their original counterparts (Gupta et al: see column 9, line 66 – column 10, line 2 – rollback is considered to represent undo; first-in-last-out is considered to represent reverse order).

Referring to claim 25, Rich/Gupta discloses the system of claim 23 where in addition the undo operations are chosen or defined in the same system as the one where corresponding normal operations were executed (Gupta et al: see column 12, lines 46-56).

Referring to claim 26, Rich/Gupta discloses the system of claim 23 where some or all undo operations are unknown to the transactional context of a remote client (Gupta et al: see column 12, lines 11-12).

Referring to claim 27, Rich/Gupta discloses the system of claim 23 where some or all undo operations are executed after a timeout and independent of whether the client's transaction context outcome requires such undo (Gupta et al: see column 12, lines 11-12).

Referring to claim 28, Rich/Gupta discloses the system of claim 23 wherein an undo operation with respect to an original operation, where an undo operation's effects are confined to data managed by the service on which the undo operation is maintained, even if the respective original operation involved other services (Gupta et al: see column 12, lines 45-56).

Referring to claim 29, Rich/Gupta discloses the system of claim 23 where the

service keeps locks on transactions to ensure that undo operations can be executed

correctly (Gupta et al: see column 9, lines 19-21).

Referring to claim 30, Rich/Gupta discloses the system of claim 23 where client

context-related information is also part of any global commit message exchanges

(Gupta et al: see column 10, lines 4-7).

Referring to claim 31, Rich/Gupta discloses the system of claim 23 where client

context information includes application-specific data (Gupta et al: see column 10, lines

4-7 – the context relates to the transaction which is considered to be application-

specific).

Referring to claim 32, Rich/Gupta discloses system of claim 31 where all or part

of the context information is logged, by storing on persistent storage, and retrievable by

a human. Administrator (Gupta et al: see column 8, lines 11-14).

Referring to claim 33, Rich/Gupta discloses system of claim 23 where the

service accepts messages indicative of which previously committed operations have to

be undone (Gupta et al: see column 11, lines 1-7).

Referring to claim 34, Rich/Gupta discloses system of claim 23 where the

service accepts messages indicative of which previously committed operations do not

have to be undone (Gupta et al: see column 11, lines 1-7).

Referring to claim 35, Rich/Gupta discloses the system of claim 23 where some

or all invocations are message-based or asynchronous (Gupta et al: see column 3, lines

1-4).

Referring to claim 36, Rich/Gupta discloses system of claim 23 where some or all invocations are synchronous (Gupta et al: see column 3, lines 1-4).

Referring to claim 37, Rich/Gupta discloses system of claim 23 where the client can request the undo executions of its invocations at the service while still allowing globalCommit (Gupta et al: see column 12, lines 28-56).

Response to Arguments

15.   Applicant's arguments filed in regards to the prior art rejections have been fully considered but they are not persuasive.

16.   In regards to applicants' argument on page 3 of the Remarks, just because Foquet was not published until August 7, 2001 does not mean that the concept were not known to one of ordinary skill in the art before or after Foquet was filed in July 10, 1997.

17.   In regards to applicants' arguments concerning claim 12, the examiner respectfully disagrees that Camp explicitly rejects the use of a two-phase commit protocol. In the background, Camp states "This makes the standard two-phase commit protocol inappropriate for use in anonymous electronic commerce systems (see column 3, lines 65-67). Camp states that Fig 3 illustrates an embodiment with a two-phase commit (see Fig 3 and column 8, lines 60-67). Therefore, Camp teaches a two-phase commit.

18.   In regards to applicants' arguments concerning claim 18, the examiner respectfully disagrees. Rich deals with propagating preferences that effect how the

transactions are executed. The user chooses to either commit [allow access] or discard [deny access]. This relates to more than just what values are propagated.

19.   In regards to applicants' arguments concerning claim 6, the examiner respectfully disagrees. Rich discloses that the work is transparently maintained. In order for the work to be transparently maintained, each transaction would have to be independently maintained. Furthermore, in column 14, lines 8-14, Rich states "each transaction and subtransaction is able to see a completely independent representation of the replicated object that is isolated from any other transaction and subtransaction. In this manner, actions performed relative to a replicated object can be isolated to the transaction or subtransaction performing the actions." Since the transactions are completely independent, the processes are considered to be capable of making their own decisions.

20.   In regards to the arguments concerning claim 7, the rejection is maintained for the reasons stated above in regards to claim 18.

21.   In regards to applicants' arguments concerning claims 8-11, the examiner respectfully disagrees. The combination of Foquet and Rich allows the concept of a counter being related to operations to be applied to the nested operations of Rich.

22.   In regards to applicants' arguments concerning claim 23, the claim is given the broadest reasonable interpretation. The applicants are arguing the invention instead of specific claim limitations. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the present invention describes a building block that can be

combined into peer-to-peer transactional service networks where every node manages

its own transactions; a node becomes a client if it calls another node, and it remains a

transaction server for its own work) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are

not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed.

Cir. 1993).

23.   In regards to applicants' arguments concerning claims 25-29, the rejections are

maintained for the same reasons stated above for claim 23.

Conclusion

24.   **THIS ACTION IS MADE FINAL.**Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.
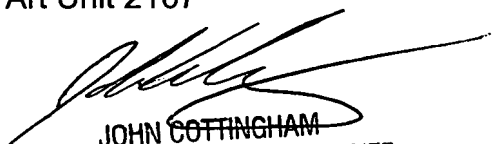
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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